

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Lucia Heffernan,

Plaintiff,

-against-

Shein Distribution Corp. et al.,

Defendants.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 11/21/2023

1:23-cv-01271 (JGK) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

Based upon the Court's review of the parties' Joint Letter, dated November 20, 2023 (11/20/23 Joint Ltr., ECF No. 85), and after consultation with Magistrate Judges Figueredo and Stein, the Court, in its discretion, resolves the disputes regarding the Rule 30(b)(6) topics at issue for the Defendants' consolidated Rule 30(b)(6) deposition in this action, as well as in *Alison Lou LLC v. Shein Distribution Corp.*, No. 23-cv-01268 (JHR) (GS) and *Bishop v. Shein Distribution Corp.*, No. 23-cv-01277 (MKV) (VF), as follows:<sup>1</sup>

**1. The Definition of "Alleged Infringing Goods"**

"Alleged Infringing Goods," as used in Consolidated Notice of Deposition (ECF No. 85-1), shall mean "the Goods at Issue, as well as any other good or product bearing or incorporating the Designs at Issue."<sup>2</sup>

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<sup>1</sup> A district court has broad latitude to determine the scope of discovery and to manage the discovery process. *See Syntel Sterling Best Shores Mauritius Ltd. v. TriZetto Grp., Inc.*, 328 F.R.D. 450, 452 (S.D.N.Y. 2018). In resolving the disputes as set forth below, the Court is mindful of the principles that the Rule 30(b)(6) deposition topics must be "relevant to any party's claim or defense," *see* Fed. R. Civ. P. 26(b)(1), and that, "[l]ike other forms of discovery, a Rule 30(b)(6) deposition notice is subject to the limitations under Federal Rule 26—deposition topics should be proportional to the needs of the case, not unduly burdensome or duplicative, and described with reasonable particularity." *Bigsby v. Barclays Cap. Real Est., Inc.*, 329 F.R.D. 78, 81 (S.D.N.Y. 2019) (citations and internal quotation marks omitted).

<sup>2</sup> The terms "Goods at Issue" and "Designs at Issue" are as set forth at the top of page 4 of ECF No. 85.

**2. Topic 3**

Topic 3 in the Consolidated Deposition Notice shall be replaced with the following:

“Deponent’s knowledge concerning any policy, process, technology or algorithm used to identify and/or source goods or products for sale by the Shein Group<sup>3</sup> in the product categories that include ‘DIY’ craft kits and costume jewelry during the period from January 1, 2020 through the present.”

**3. Topic 5**

Topic 5 in the Consolidated Deposition Notice shall be replaced with the following:

“Deponent’s knowledge of the identity, roles, and relationship(s) of members of the Shein Group who participated in the design, manufacture, purchase, supply, listing, advertisement, importation, shipping and sale of any Alleged Infringing Goods.”

**4. Topic 8**

Topic 8 in the Consolidated Deposition Notice shall be replaced with the following:

“Deponent’s involvement with the listing of any Alleged Infringing Goods on, or sale of Any Alleged Infringing Goods from, the Shein Group’s e-commerce websites and apps.”

**5. Topic 11**

Topic 11 in the Consolidated Deposition Notice shall be replaced with the following:

“Deponent’s knowledge of actual or alleged violations of the Digital Millennium Copyright Act by the Shein Group or any of its suppliers or supply-chain partners in the last five years.”

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<sup>3</sup> “Shein Group” shall mean Defendants and their partners, corporate parents, subsidiaries or affiliates.

**6. Topic 14**


Topic 14 in the Consolidated Deposition Notice shall be replaced with the following:  
“Deponent’s relationship with the suppliers of any Alleged Infringing Goods and its efforts to monitor those suppliers with respect to compliance with intellectual property laws.”

**7. Topic 15**

Topic 15 in the Consolidated Deposition Notice shall be replaced with the following:  
“Deponent’s knowledge of the disclosure to WIRED (and/or other journalists) of the ‘October guidance document’ referenced in the May 4, 2022 WIRED article Fast, Cheap, and Out of Control: Inside Shein’s Sudden Rise (<https://www.wired.com/story/fast-cheap-out-of-control-inside-rise-of-shein/>).”

**SO ORDERED.**

Dated: New York, New York  
November 21, 2023

  
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STEWART D. AARON  
United States Magistrate Judge